

MINUTES
CITY PLAN COMMISSION

City Plan Commission, Tuesday, April 10, 2012 at 4:00 P.M. in the Third Floor conference room at City Hall, 828 Center Avenue. Chairperson Mayor Terry Van Akkeren presided.

Present: Mayor Terry Van Akkeren, Todd Wolf, John Van Der Male, Ald. Kevin Sampson, Jerry Jones, and Ryan Sazama, Don Cvetan

Staff present: Steve Sokolowski, Chad Pelishek and Kristin Reichart, Steve McLean and David Biebel

Others: Stephen Scharrer, David Vanden Avond, Will Steiner, Jim Marshall, Scott Cupp, Alan Mitchell, Tom Schafer, Derrek Lemahieu, Joe Bronoski, Jim Theodoroff, Ald. Scott Lewandoske, DuWayne Hameister, Rory Riesteler, Jeff Ertman, Bob Petrie, Matt Quasius, Ray Haen

The meeting was called to order and the Pledge of Allegiance was recited.

Approval of minutes of March 27, 2012 meeting.

John Van Der Male moved, Todd Wolf seconded to approve the minutes of the March 27, 2012 meeting. The motion passed unanimously.

Conditional Use Permit and Variance application by Sheboygan Area School District to install a new wall sign at the Pigeon River Recreation Center located at 3506 N. 21st Street.

Stephen Scharrer was present to discuss this matter.

Sheboygan Area School District Community Recreation Department is proposing to install a new wall sign at Pigeon River Recreation Center located at 3506 N. 21st Street. The applicant states the sign is 50sf (5 x 10) and advertises "Pigeon River Recreation Center."

Todd Wolf moved, Jerry Jones seconded to approve the Conditional Use Permit application subject to the following conditions:

1. Applicant shall obtain the necessary sign permits to install the sign.
2. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.

The following variances were granted:

1. To install a 50sf monument sign – maximum permitted wall sign is 24sf for a school in the Urban Residential (UR-12) zone.

The motion passed unanimously.

Conditional Use Permit and variance application by Scott Cupp to operate Custom Glass and Screen and install a freestanding monument sign from the dwelling located at 2636 N. 15th Street.

Scott Cupp and Alan Mitchell were present to discuss this matter.

Mr. Cupp is proposing to operate Custom Glass and Screen and install a freestanding monument sign at 2636 N 15th Street. The applicant states the screen and glass work will take place in the basement. The work entails screen windows and door repair and window reglazing. No machines are used so there will be no dust or noise. No more than one (1) customer at a time. I would expect anywhere from 0-3 customers per day but most call for window or screen pick up. Hours are mostly by appointment – 9am to 3pm Monday to Saturday. I am the only employee. Requesting a variance to use an 11sf (2.6 x 4) freestanding monument sign.

Ald. Kevin Sampson moved, Todd Wolf seconded to approve the Conditional Use Permit and variance application subject to the following conditions:

1. Applicant shall meet all home criteria per Section 15.206(8)(s) of the City of Sheboygan Zoning Ordinance.
2. The home occupation may only utilize 25 percent of the living area of the dwelling.
3. If the business creates a nuisance, the Plan Commission will have the authority to again review the home occupation conditional use permit.
4. If the applicant moves from the present location, the conditional use permit will discontinue immediately and the sign shall be removed immediately.

The following variance was granted:

1. A variance to have an 11sf free standing monument sign - Not more than one sign, not to exceed two square feet, non-illuminated and flush wall mounted only, will be used to advertise the home occupation.

The motion passed unanimously.

Conditional Use Permit and variance application by Bayside Management, LLC to construct a new multi-tenant facility at the northeast intersection of Calumet Drive and North Avenue (Parcel #s 630530 and 630535).

Tom Schafer, Derrek Lemahieu, Joe Bronoski and Jim Theodoroff were present to discuss this matter.

Bayside Management, LLC is proposing to construct a new multi-tenant facility at the northeast intersection of Calumet Drive and North Avenue (the properties are presently vacant and undeveloped but formerly were used by Zana's Restaurant and Burger King). The applicant states the new building will be approximately 10,855sf. Advance Auto Parts will utilize 6,895sf. Approximately 4,000sf will be available for other commercial tenants. There will be a total of

54 parking spaces - 37 spaces required (1 per 300sf). There will be one ingress/egress drive on Calumet Drive. There will be one access drive to North Avenue. New building with masonry and EIFS exterior finishes - The building design resembles the style and materials of the multi-tenant facility located directly to the south (southeast corner of Calumet and North).

Advance Auto Parts is a leading automotive aftermarket retailer (engine parts, replacement parts, performance parts, brakes, batteries, accessories, tools and other various services). There will be a single loading/unloading platform on the northeast side of the building. Applicant states that the typical delivery frequency is one (1) warehouse truck per week. Applicant indicates that the store hours are to be 7:30am to 9:00pm seven days per week. Applicant states the project will create 15 full and part time positions. Applicant believes the new Advance Auto and commercial tenant space will add vibrant businesses to this commercial intersection.

Applicant is requesting a rearyard building setback variance of 2.7 feet.

The commission addressed safety concerns regarding the ingress/egress drive at the southeast corner of the site that accesses North Avenue. This is an access point that appears to have been shared by previous owners; however, the current property line runs through the access drive and there is currently no formal agreement between the 2 property owners that states this is a shared driveway. Discussion took place with regards to creating a separate access drive by installing a new buffer island and new driveway cut. Plan commission informed the applicant that they would need to submit a new site plan showing the new access drive as discussed.

Todd Wolf moved, Ald. Kevin Sampson seconded to approve the Conditional Use Permit application with the following conditions:

1. Submittal and approval of a proposed landscape plan that provides a legend that shows how the four (4) landscape criteria are being met.
2. Submittal and approval of a proposed storm drainage plan.
3. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If using chain link fencing, the applicant shall install Privacy Decorative Slating (PDS) material in order to effectively screen and enclose the dumpster.
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
6. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets (especially residential properties).
7. All areas used for parking or maneuvering of vehicles shall be paved.
8. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
9. Absolutely no portion of the new building shall cross the property line (balconies, decks, foundation, walls, gutters, eaves, roof, signs, landscaping, etc.). Sections of the building/signs/landscaping may only cross the property line if the applicant obtains the necessary encroachments permitting this.

10. Applicant shall obtain the necessary conditional use/sign permits prior to installation.
11. Applicant shall be permitted a freestanding monument sign(s) for the site. Minimum setback of a monument sign is 12 feet. Maximum height of the monument sign is 8 feet.
12. Applicant shall work with staff with regards to constructing a well designed sign for the site that utilizes colors and materials similar to the building. Staff may bring the proposed signage design back to the Plan Commission for review/approval.
13. The development shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.
14. Applicant shall meet all vision triangle requirements of Section 15.703 of the City of Sheboygan Zoning Ordinance.
15. It will be the applicant's responsibility to work with all private and public utilities in order to provide easements and/or relocate utilities as necessary.
16. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but not limited to, new and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).
17. Applicant shall submit to the Department of City Development and the Engineering Department a new site plan accurately depicting the new driveway access onto North Avenue as was discussed at the meeting. If there are any issues with the proposed access drive, staff can bring the matter back to the Plan Commission for their review.
18. Applicant will provide adequate public access along Calumet Drive, North Avenue, Schetter Avenue, N. 21st and N. 22nd Place and will take all appropriate actions to minimize the time period that these sidewalks and streets will be closed/affected.
19. The applicant shall combine these parcels into one (1) parcel. Only at such time that the applicant can provide documentation from Sheboygan County that the lot has been officially recorded and created will the Building Inspection Department release construction permits for this development. Also, the site plan shall exactly match that of the new lot configuration. The proposed lot configuration will exactly match the approved site plan/property layout.
20. Any area disturbed by the construction shall be appropriately landscaped 30 days after the 1st tenant receives and occupancy permit. The applicant shall take all actions necessary to keep the property in a dustless condition including but not limited to installing landscaping/grass on the entire redevelopment site.
21. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

The following variances were granted:

1. A rear yard building setback of 2.7 feet - Minimum rear yard building setback is ten (10) feet.

The motion passed unanimously.

Conditional Use Permit and variance application by Marshall Sign, LLC to install a new internally lit projecting sign at Hops Haven located at 1327 N. 14th Street.

Jim Marshall was present to discuss this matter.

Marshall Sign is requesting to replace the existing projecting sign with a new internally lit projecting sign at Hops Haven located at 1327 N. 14th Street.

The staff and commission discussed concerns regarding the proposed internally lit projecting cabinet sign from a design perspective. Plan Commission informed the applicant they should consider redesigning the sign.

Ryan Sazama moved, Todd Wolf seconded to hold the Conditional Use Permit and variance application to permit the applicant to resubmit a new sign proposal for the Plan Commission's consideration.

The motion passed unanimously.

Conditional Use Permit and variance application by Excel Engineering to remodel the existing building, to construct site improvements and to permit Family Dollar to operate and install signage from the multi-tenant facility at 2709 S. Business Drive.

Will Steiner and David Vanden Avond were present to discuss this matter.

Excel Engineering is proposing to remodel the existing building, to construct site improvements and to permit Family Dollar to operate and install signage from the multi-tenant facility at 2709 S. Business Drive. The applicant states the existing property has been vacant for the past 5+ years. Previously it was a multi-tenant building with past tenants such as restaurants and grocery stores. The idea is to restore the building to its previous state as a multi-tenant building.

The design intent is to renovate the exterior of the building to compliment the new developments in the area. The design intent of the site is to restore it to its original state, as well as add some additional parking. All overgrown trees, shrubs, and overgrowth will be removed. The existing asphalt pavement will be milled and provide new in its place, not changing any grades. Three of the landscape islands will be redesigned and enlarged. This will allow new landscaping to break up the parking area. Currently the front of the building has some empty space next to the front drive. The plan is to create parking areas in this space. This will create a more consumer friendly parking arrangement for direct access to the building. In the rear of the building, the thought was to add a new dumpster enclosure that will also screen the existing electrical transformer.

Family Dollar will occupy the eastern portion of the building. Additional tenants that are being pursued are large and small restaurants, office, clinic, service, and retail. Individual tenant signage will be part of separate submittals. There is also a pylon sign on the Pick-n-Save property with a portion available for the subject property.

Ryan Sazama moved, Ald. Kevin Sampson seconded to approve the Conditional Use Permit and variance application subject to the following conditions:

1. Submittal and approval of a proposed landscape plan.
2. Submittal and approval of a proposed storm drainage plan. Applicant will work with the Engineering Department with regards to the storm drainage issues that may be impacting adjacent residential properties.
3. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
4. Outdoor storage of materials, products or equipment shall be prohibited.
5. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
6. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets (especially residential properties).
7. All areas used for parking or maneuvering of vehicles shall be paved.
8. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
9. Applicant will be required to provide documentation that a shared access/parking agreement between Pick N Save and the applicant has been approved and recorded. This shared access agreement needs to be recorded prior to the applicant receiving a building permit to construct the improvements as proposed.
10. The new parking proposed for the front of the building is approved if and only if the applicant can provide a shared parking/access agreement that permits the multi-tenant facility to create parking over the common property line. A building permit will be issued only if the applicant provides that documentation.
11. The development shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.
12. Applicant shall obtain the necessary conditional use/sign permits prior to installation. (Any future tenant signage proposed on the Pick N Save pylon sign will require an off-premise sign variance and an approval agreement with Pick N Save).
13. It will be the applicant's responsibility to work with all private and public utilities in order to provide easements and/or relocate utilities as necessary.
14. The whole building shall be painted immediately.
15. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

The following variance was granted:

1. Variance to pave right up to the property line and to potentially park over the property line – minimum paving setback is five (5) feet).

The motion passed unanimously.

Conditional Use Permit and Variance application by Quasius Construction Inc. to raze 9,000 sq. ft. of the southernmost existing storage facility and to construct new site improvements at 1716 N. 16th Street.

Matt Quasius and Ray Haen were present to discuss this matter. Applicant's requested this matter be held because they found out there were some issues with property lines.

Ald. Kevin Sampson moved, Todd Wolf seconded to hold the Conditional Use Permit and variance application until property line issues are resolved.
The motion passed unanimously.

Conditional Use Permit application by Quasius Construction Inc. to utilize the existing building at 1524 Saemann Ave for storage purposes (former Sheboygan Auto Parts).

Matt Quasius and Ray Haen were present to discuss this matter.

Quasius Construction is proposing to utilize the existing building at 1524 Saemann Avenue for storage purposes. The applicant states the purchase of the former Sheboygan Auto Parts will allow Quasius Construction the opportunity to rearrange its indoor equipment and materials storage. The building is 10,000sf and is located adjacent to another Quasius property at 1536 Saemann Avenue containing a storage building and yard. The new building will permit Quasius Construction the ability to demolish 9,000sf of existing wood frame storage structures located adjacent to N.16th Street and Cambridge Avenue. The building is in very poor condition and is not repairable. Minor interior and exterior renovations are planned.

Ald. Kevin Sampson moved, Don Cvetan seconded to approve the Conditional Use Permit application subject to the following conditions:

1. The applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, razing, etc.
2. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
3. Outdoor storage of materials, products or equipment shall be prohibited.
4. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
5. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets (especially residential properties).
6. Any fencing will be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance.
7. Applicant shall obtain the necessary conditional use/sign permits prior to installation.
8. It will be the applicant's responsibility to work with all private and public utilities in order to provide easements and/or relocate utilities as necessary.
9. Any work within City of Sheboygan Public rights-of-way shall be discussed with the City Engineering Department and constructed to standard City specifications (including, but

not limited to, new and old ingress/egress driveway openings, curb, gutter, sidewalk, pavement, utilities, street trees, etc.).

10. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.
11. Applicant will be required to submit architectural plans to the City of Sheboygan Architectural Review Board for all newly exposed building elevations and proposed repairs/alterations prior to building permit issuance.

The motion passed unanimously.

Site Plan Review application by DuWayne Hameister of Hameister Architects, Inc. to operate American Orthodontics at the property located at 3524 Washington Avenue.

DuWayne Hameister and Rory Riesteler were present to discuss this matter.

American Orthodontics is proposing to relocate all of its business operations to 3524 Washington Avenue. The applicant states American Orthodontics is relocating into the vacant Thomas Industrial facility located at the northeast corner of Washington Avenue and S. Taylor Drive. American Orthodontics will be consolidating all of its orthodontic business operations to this facility – marketing, sales, design, manufacturing, and global distribution. 450 employees will report to this facility on a daily basis. The facility will operate on a 3-shift basis 6 days per week - 200 manufacturing and 50 office personnel on 1st shift; 100 manufacturing personnel on 2nd shift; 100 manufacturing personnel on 3rd shift.

The applicant states there will be a parking lot addition at the southwest corner of the property adjacent to S. Taylor Drive. The project includes an additional 31,834sf new parking lot with 87 new parking spaces. We plan to add new parking lot light fixtures in this area. There will be some new hydrogen, ammonia, carbon monoxide, argon tanks located at the northeast corner of the site and on the east side of the building. All Tanks except Hydrogen will be located in a Fence Enclosed Gas Storage Area on the East Side of the building. The Atrium Addition and Façade Remodeling will be submitted for review by the Architectural Review Board when exterior image is finalized. There will be Building Mounted Signage which will be submitted for Review when the exterior image is finalized.

John Van Der Mal moved, Todd Wolf seconded to approve the Site Plan Review application subject to the following conditions:

1. Prior to construction and operation, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, occupancy, hazardous materials, etc.
2. Applicant shall obtain all necessary permits for the construction, the storage and the handling of hazardous chemicals and/or fuels (applicant shall be in contact with building inspection, fire department, etc.).
3. Submittal and approval of a proposed storm drainage plan.
4. Submittal and approval of a proposed landscape plan.

5. If dumpsters are used, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
6. Fencing shall be installed per Section 15.720(3)(c) of the City of Sheboygan Zoning Ordinance
7. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
8. Outdoor storage of materials, products or equipment shall be prohibited.
9. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
10. All areas used for parking or maneuvering of vehicles shall be paved.
11. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
12. Applicant shall obtain the necessary sign permits prior to installation.
13. If there are any amendments to the approved site plan, the applicant will be required to submit a new site plan and/or conditional use application reflecting those amendments.
14. Applicant will be required to submit architectural plans to the City of Sheboygan Architectural Review Board for any new additions and remodeling prior to building permit issuance.

The motion passed unanimously.

Gen. Ord. No. 82-11-12 and R.O. No. 405-11-12 vacating the unimproved land north of 1913 Elm Ave.

Todd Wolf moved, John Van Der Mal seconded to file the request. The motion passed unanimously.

Being no further business, Jerry Jones moved, Ald. Kevin Sampson seconded to adjourn the meeting at 5:15 p.m. Motion carried.

Kristin Reichart
Recording Secretary